

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

HMK ENTERPRISES, INC.,)
ROBERT ACKERMAN and)
STEVEN KAROL,)
Plaintiffs,)
v.) Civil Action No. 04-12688-MLW
FEDERAL INSURANCE COMPANY)
Defendant.)

**ASSENTED-TO MOTION FOR THE ADMISSION
PRO HAC VICE OF JONATHAN A. CONSTINE**

Pursuant to MLR 83.5.3(b), the undersigned counsel respectfully requests that the Court enter an Order admitting attorney Jonathan A. Constine of the law firm of Hogan & Hartson, LLP, to practice before this Court *pro hac vice* in the above-captioned matter on behalf of the defendant, Federal Insurance Company (“Federal”). The grounds for this motion are as follows:

- (1) This motion is sponsored by Federal's co-counsel of record, Lee M. Holland, located in the Boston office of Robinson & Cole LLP. Attorney Holland is a member in good standing of the Bar of this Court and is licensed to practice in this jurisdiction.
- (2) As evidenced by the accompanying Certificate, Attorney Constine is a partner in the law firm of Hogan & Hartson LLP;

(3) Mr. Constine, who is resident in the firm's Washington DC office, is a member in good standing of the bar of the District of Columbia and the following bars:

United States Court of Appeals for D. C. Circuit

United States District Court for the Eastern District of Virginia

United States District Court for the District of Columbia

United States District Court for the District of Colorado

United States Court of Appeals for Federal Circuit

United States Court of Appeals for the Third Circuit

United States Court of Appeals for the Fourth Circuit

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals for the Sixth Circuit

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Eleventh Circuit

(4) There are no disciplinary proceedings pending against Mr. Constine in any jurisdiction; and

(5) Mr. Constine is familiar with the provisions of the Local Rules of this Court and will abide by same.

In further support of this motion, the Certification of Attorney Constine with respect to the foregoing is filed herewith.

Respectfully Submitted,

/s/ Lee M. Holland
Stephen J. Abarbanel BBO#010100
Lee M. Holland BBO #650617
Robinson & Cole LLP
One Boston Place, #2500
Boston, MA. 02108-4404
Tel (617) 557-5900

Dated: October 5, 2005

Local Rule 7.1A(2) Certification

Pursuant to Local Rule 7.1A(2), undersigned counsel states he has conferred with plaintiff's counsel of record and has gained such party's assent to this motion.

/s/ Lee M. Holland
Lee M. Holland

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CERTIFICATION PURSUANT TO LOCAL RULE 83.5.3

Jonathan A. Constine, first being duly sworn, hereby deposes and states as follows:

1. I am over eighteen years of age and I understand the obligations of an oath.

2. I am a partner in the law firm of Hogan & Hartson LLP, resident in the firm's Washington, D.C. office.

3. I am a member in good standing of the bar of the District of Columbia and the following courts:

United States Court of Appeals for D. C. Circuit

United States District Court for the Eastern District of Virginia

United States District Court for the District of Columbia

United States District Court for the District of Colorado

United States Court of Appeals for Federal Circuit

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United States Court of Appeals for the Fourth Circuit

United States Court of Appeals for the Fifth Circuit

United States Court of Appeals for the Sixth Circuit

United States Court of Appeals for the Seventh Circuit

United States Court of Appeals for the Eleventh Circuit

4. There are no disciplinary proceedings pending against me in any jurisdiction.

5. I have reviewed and am familiar with the Local Rules for the United States District Court for the District of Massachusetts.

6. I have a longstanding client relationship with Federal Insurance Company (“Federal”) since at least 1990 and have previously represented the company and its affiliates in connection with other insurance coverage matters similar to this case.

7. Based upon this client relationship and specialized expertise in the subject matter of this action, Federal has sought my participation in this case in order to assist in the company’s defense of this lawsuit.

8. I sign the foregoing certification under the pains and penalties of perjury.

Signed under the pains and penalties of perjury,

Dated: October 5, 2005

/s/ Jonathan A. Constine
Jonathan A. Constine